



RCE/2800

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

re Application of:

David E. Carlson

Serial No.: 10/075,483

Examiner: Daniel St. Cyr

Filed : February 12, 2002

Group Art Unit: 2876 ✓

For : ARTICLE AND METHOD FOR IDENTIFICATION,
CLASSIFICATION, AND INVENTORY TRACKING

Docket No.: 81001/101/102

REQUEST FOR CONTINUED EXAMINATION TRANSMITTAL

Mail Stop: RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

<p style="text-align: center;"><u>CERTIFICATE UNDER 37 C.F.R. 1.8</u></p> <p>I hereby certify that this correspondence is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an enveloped addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this <u>8th</u> day of <u>September</u>, 20<u>03</u></p> <p>By: <u>Laurie E. Gentrup</u> Laurie E. Gentrup</p>

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

1. Submission required under 37 C.F.R. § 1.114

- a. ☒ Previously submitted
 - i. ☒ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on July 30, 2003.
 - ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____.
 - iii. ☐ Other
- b. ☒ Enclosed
 - i. ☒ Amendment/Reply
 - ii. ☐ Affidavit(s)/Declaration(s)

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375.00 OP

- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☐ Other

2. **Miscellaneous**

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of _____ months.
- b. ☐ Other

3. **Fees**

- a. ☐ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 14-0620.
 - i. ☐ RCE fee required under 37 C.F.R. § 1.17(e)
 - ii. ☐ Extension of time fee
 - iii. ☐ Other:
- b. ☒ Check in the amount of \$ 430.00 enclosed

By:

Edward L. Schwarz

Reg. No. 25,652

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Docket No.: 81001/101/102

REQUEST FOR CONTINUED EXAMINATION (RCE)
(37 C.F.R. 1.114)

MS: RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATE UNDER 37 C.F.R. 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an enveloped addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 8th day of September, 2003

By: Laurie E. Gentrup

Laurie E. Gentrup

Sir:

1. Applicant hereby requests continued examination, in accordance with 37 C.F.R. § 1.114, for the above identified application.

TIME REQUEST IS BEING MADE

2. This request is being submitted (check appropriate item(s) below):
- i. ☒ Prior to abandonment of the application
 - ii. ☐ Payment of the issue fee
 - ☐ Prior to payment of issue fee
 - ☐ Issue fee has been paid but a petition under §

1.313 has been granted

iii. ☐ Prior to a decision on appeal to the Board of Patent Appeals & Interferences

☐ A notice is being separately sent to the Board of Patent Appeals & Interferences that this request for Continued Examination is being filed.

iv. ☐ Appeal to the U.S. Court of Appeals of the Federal Circuit under 35 U.S.C. 145 or ☐ Commencement of a civil action under 35 U.S.C. 146

☐ Prior to the filing of such appeal or commencement of civil action

☐ Such appeal or commencement of civil action has been terminated

ENCLOSURES

3. Enclosed herewith is/are:

☐ An information disclosure (37 C.F.R. § 1.98)

☐ Form PTO-1449 (PTO/SB/08A and 08B)

☒ An amendment

☐ New arguments

☐ New evidence in support of patentability

☐ Other:

FEE FOR REQUEST (37 C.F.R. § 1.17(e))

4. This application is on behalf of:

☒ Small entity (and status is still as small entity)
\$375.00

☐ Other than a small entity
\$750.00

5. The fee for claims (37 C.F.R. § 1.16(b)-(d)) has been calculated as shown below:

CLAIMS AS AMENDED							
	(3)	(4)	(5)	SMALL ENTITY		OTHER	
	REMAINING CLAIMS	HIGHEST PAID	EXTRA	RATE	ADD'L FEE	RATE	ADD'L FEE
TOTAL CLAIMS	30 -	46 =	0	x9=	\$	x18=	\$
INDEPEN- DENT CLAIMS	2 -	5 =	0	x42=	\$	x84=	\$
() FIRST MULTIPLE DEPENDENT CLAIM				+140=	\$	+280 =	\$
TOTAL						\$	

(complete (c) or (d), as applicable)

(c) ☒ No additional fee is required.

OR

(d) ☐ Total additional fee required is \$_____.

EXTENSION OF TIME

6. The proceedings herein are for a patent application, and the provisions of 37 C.F.R. § 1.136(a) apply.

- (a) ☒ Applicant petitions for an extension of time, the fees for which are set out in 37 C.F.R. § 1.17(a)(1)-(4), for the total number of months checked below:

Extension for <u>(months)</u>	Fee for other than <u>small entity</u>	Fee for small <u>entity</u>
<input checked="" type="checkbox"/> one month	\$110.00	\$55.00
<input type="checkbox"/> two months	\$410.00	\$205.00
<input type="checkbox"/> three months	\$930.00	\$465.00
<input type="checkbox"/> four months	\$1,450.00	\$725.00

Fee: \$ 55.00

If an additional extension of time is required, please consider this petition therefor.

(check and complete the next item, if applicable)

- ☐ An extension for _____ month has already been secured, and the fee paid therefor of \$ _____ is deducted from the total fee due for the total months of extension now requested.

Extension fee due with this request \$ 55.00

OR

- (b) ☐ Applicant(s) believe(s) that no extension of time is required. However, this is a conditional petition and authorization to pay the necessary fees to provide for the possibility that Applicant(s) has/have inadvertently overlooked the need for a petition and fee for extension of time.

TOTAL FEE(S) DUE

7. The total fee(s) due is/are:

Continued Prosecution Fee (\$ 1.17(e))	\$ <u>375.00</u>
Fee(s) for additional claims (if any) (\$ 1.16(b)-(d))	\$ <u>0.00</u>
Extension of time fee (if any) (\$ 1.17(a)(1)-(4))	\$ <u>55.00</u>

Total Fee(s) Due \$ 430.00

PAYMENT OF FEE(S) DUE

8. Please pay the fee(s) for this continued examination application as follows:

<input checked="" type="checkbox"/>	Check is attached for the sum of	\$ <u>430.00</u>
<input type="checkbox"/>	Charge Account 14-0620 the sum of	\$ <u> </u>

Please charge any deficiencies or credit any over payment to Deposit Account 14-0620.

INVENTORSHIP

9. This application as amended names as inventors:

<input checked="" type="checkbox"/>	the same inventors as previously designated for the claims.
<input type="checkbox"/>	fewer than the inventors previously designated and a statement accompanies this request for the deletion of the name or names of the person or persons who are not

inventors of the invention now being claimed.

- ☐ a person not named previously as an inventor and a petition under 37 C.F.R. § 1.48 is/has separately:
- ☐ being filed
 - ☐ been filed

DEFERRAL OF EXAMINATION


10. ☐ A request for deferral of examination accompanies this request for continued examination.

Respectfully submitted,

David E. Carlson

By his attorney

Date 9/8/03



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